



Fact Sheet CHICAGO'S DISCRIMINATION ORDINANCES

What Is Discrimination?

Discrimination happens when a person is **treated differently** and **harmed** because of a **protected class** or **status** in connection with a **covered activity**.

- City of Chicago ordinances prohibit discrimination in any of these **covered activities**:

*Housing	*Public Accommodations	*Bonding
*Employment	*Credit Transactions	

- The discrimination must be based on one or more of these **protected classes**:

*Race	*Sex (includes pregnancy & sexual harassment)	*Age (over 40)
*Color	*Parental Status	*Disability
*National Origin	*Marital Status	*Source of Income
*Ancestry	*Sexual Orientation	*Military Discharge
*Religion	*Gender Identity	Status

- The discrimination must have happened in the **City of Chicago**.
- A complaint must be filed **within 180 days** of the discrimination.
- Retaliation* is prohibited against a person who files a complaint or participates (such as a witness) in a case of employment, public accommodation, credit, or bonding discrimination.

How Do I File a Complaint?

For help in writing a complaint, come to the Commission's office at least two hours before closing, to allow enough time. If you need an interpreter, please notify the Commission at least a week in advance. You may also write your own complaint (in English) and file it by mail or fax. E-mail or online filing is not available. You must use the Commission's complaint form or something equivalent.

The complaint must include the name and mailing address of the "complainant" (person who files the complaint) and the name and mailing address of every "respondent" (individual or business accused of discrimination). It must describe the conduct, policy, or practice claimed to violate the City of Chicago's discrimination ordinances, and it must state the date of each act of discrimination against the complainant.

What Happens After a Complaint Is Filed?

A discrimination complaint starts a legal case. The Commission on Human Relations is the neutral agency of the City of Chicago which will decide the case. It is not the complainant's lawyer or advisor.

- Investigation**

The Commission first mails the complaint to each respondent along with information about the discrimination ordinances and procedures. Each respondent has a deadline to submit a written response. The Commission then conducts an investigation of the claims in the complaint. It may interview

witnesses and may obtain documents or other information. It may order a complainant or respondent to submit more information, and may help parties who want to try to make an agreement to settle the case.

After the investigation, the Commission decides whether there is “substantial evidence” of an ordinance violation. If yes, the case will go forward to an administrative hearing. If no, the case ends. “Substantial evidence” does not mean the complainant has won, but only that there is enough evidence for the case to go forward.

- **Settlement Conference**

Sometimes the Commission orders the parties to meet together in a settlement conference to try to settle the case without more litigation. A trained mediator conducts the settlement conference. A settlement conference is not a trial or hearing, and the mediator will not make any decisions about the case. If the parties do not agree to a settlement, the case will go forward.

- **Administrative Hearing**

The Commission holds an administrative hearing after a finding of “substantial evidence” or an “order of default” (if the case does not settle). The hearing is like a court trial and is open to the public. A hearing officer presides over the hearing and over the process before and after the hearing.

At the hearing, the complainant must prove the case and prove what remedies should be ordered. Respondents may present defenses. The Commission does not present the evidence, prosecute the case, or act as the complainant’s attorney. Parties are not required to have an attorney but it is recommended. The hearing officer hears testimony and cross-examination of the parties and their witnesses, and receives any documents admitted as evidence. A court reporter makes a transcript.

After the hearing, the hearing officer writes a recommended decision and mails it to the parties. It states which party should win the case, the reasons for the recommendation, and proposed remedies if the hearing officer recommends that the complainant should win.

The parties may submit written objections to the recommended decision. The Board of Commissioners reviews the recommended decision, any objections, and the evidence received at the hearing. The Board then mails its written final decision, which can be appealed and enforced in state court.

What Remedies Can the Commission Order?

If the Board rules, after a hearing, that a respondent violated the City’s discrimination ordinances, the Board can order the respondent to do one or more things:

Out-of-pocket damages: Pay the complainant any money lost because of the discrimination.

Emotional distress damages: Pay the complainant for the personal stress caused by the discrimination.

Punitive damages: Pay the complainant money to punish and deter the discrimination if it was proved to be willful, wanton, or in reckless disregard of the complainant’s rights.

Attorney fees and costs: Pay for the work the complainant’s attorney did on the case.

Fines: Pay to the City of Chicago a fine up to \$500 for each violation of the discrimination ordinances.

Injunctive relief: Order the respondent to take specific actions to end the discrimination.

More Questions?

Call the Commission at 312/744-4111 (voice) or 312/744/1088 (TTY), or visit our website, www.cityofchicago.org/humanrelations. Commission ordinances (Chapters 2-120, 2-160, and 5-8, Chicago Municipal Code) and regulations are available on the website or from the office. **For other emergencies, please call 911.**